

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TARNEZ JOHNSON and
DAJANIQUE ROBINSON, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TAMARA GEE,

Respondent-Appellant,

and

TARNEZ JOHNSON, SR. and DAMARIO
ROBINSON,

Respondents.

UNPUBLISHED

December 28, 1999

No. 217427

Muskegon Circuit Court

Family Division

LC No. 97-024208 NA

Before: Saad, P.J., and McDonald and Gage, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i) and (g); MSA 27.3178(598.19b)(3)(c)(i) and (g). We affirm.

The family court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997); *In re Vasquez*, 199 Mich App 44, 51-52; 501 NW2d 231 (1993). In addition, respondent-appellant failed to show that termination of her parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5). Therefore, the family court

did not err in terminating respondent-appellant's parental rights to the children. *In re Hall-Smith, supra*.

We reject respondent-appellant's argument that the family court erred by failing to place the children with an aunt instead of terminating her parental rights. If the court finds that it is within the children's best interests to do so, it may terminate parental rights instead of placing the children with relatives. *In re McIntyre*, 192 Mich App 47, 52; 480 NW2d 293 (1991); *In re IEM*, 233 Mich App 438, 453; 592 NW2d 751 (1999). Here, the evidence did not establish that the proposed custodians were able to provide proper care and custody. One aunt failed to respond to petitioner's inquiry regarding placement and another aunt, whom the children barely knew, was investigated and found to be unsuitable. Therefore, the family court did not err in rejecting respondent-appellant's alternative resolution.

Affirmed.

/s/ Henry William Saad

/s/ Gary R. McDonald

/s/ Hilda R. Gage